

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 25

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GRAYLON K. WILLIAMS and SEAN P. BURNS

Appeal No. 2004-0656
Application No. 09/664,130

ORDER REMANDING TO EXAMINER

MAILED

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PAT & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

On December 5, 2003, applicants filed a Petition under 37 CFR § 1.182 (Paper No. 24). This paper was matched with the file at the Board of Patent Appeals and Interferences. A review of the file reveals that the examiner has not considered the Petition. Before further review of this application, this Petition must be considered by the examiner. A written communication notifying applicants of the decision on the Petition is required.

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Accordingly, it is

ORDERED that this application be remanded to the examiner for: 1) consideration of the Petition under 37 CFR § 1.182 (Paper No. 24); 2) appropriate written notification by the examiner to appellants of such consideration; and 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____


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